UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,442	10/31/2001	Mike Sheldon	MFCP.81059	2397

45809 7590 01/06/2006	EXAMINER
SHOOK, HARDY & BACON L.L.P.	HUYNH, BA

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ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 01/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 May 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-9 and 11-16* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-9 and 11-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 14-16 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete

for omitting essential steps, such omission amounting to a gap between the steps. See MPEP

§ 2172.01. The omitted steps are: the consequent steps after the step checking whether the

window is new.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1, 3-9, 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US

patent #6,473,102 (Rodden et al), in view of US patent #6,581,020 (Buote et al).

  - As for claims 1, 6, 7: Rodden et al (herein Rodden) teach a computer implemented

method and corresponding system for displaying a graphical window on a display screen

having a screen resolution, comprising the steps/means for:

determining, for the window, whether a display size and display screen position are

specified for the window (1:58-59, 2:14-17, 4:32-42), and

if the size and position are specified, rendering the window at the specified size and

position so that the window is not automatically maximized (1:59 – 2:11. See also

description of figure 4),

if the size and position are not specified, determining the screen resolution for the display

screen,

automatically and inversely changing the size of a display window responsive to

changing the screen resolution of current display device or switching between display

devices of different resolution, i.e., changing the display device not the resolution (1:22-

28; 3:62-66).

Rodden fails to clearly teach the comparing the screen resolution against a pre-

determined threshold value; and automatically maximizing the size of the window on the

display screen if the screen resolution is below the pre-determined threshold value.

However, in the same field of window layout, Buote et al teach the comparing screen

resolution against a pre-determined threshold value and automatically maximizing the

size of the window on the display screen if the screen resolution is below the pre-

determined threshold value (Buote's 11:15-21). It would have been obvious to one of

skill in the art, at the time the invention was made, to combine Buote's teaching to

Rodden for automatically maximizing the window at a predetermined resolution

threshold. Motivation of the combining is to predefine the window size to avoid the lost

of information (i.e., the window become larger than the display screen). The steps/means

for determining the screen resolution for the display screen is inherently included in

Boute's teaching of resolution threshold.

- As for claim 3. Per Rodden, the user may control the size and position of selected windows so that the windows will not be automatically maximized due to the change in resolution (1:28-31; 4:32-42).

- As for claim 5: Per Boute, the predetermined threshold value is 800 pixels by 600 pixels (11:15-21).

- As for claims 4, 11: It is inherently included in Rodden's teaching of window that the window include a sizing button for reducing (thus restoring) the size of the window by a pre-determined amount. Even if it is not, Official notice is taken that implementation of the window sizing button is well known, and would have been obvious to one of skill in the art for controlling the size of the window.

- As for claims 8, 12-13: Rodden et al (herein Rodden) teach a computer implemented method and corresponding system for displaying a graphical window on a display screen having a screen resolution, comprising the steps/means for:

determining, for the window, whether a display size and display screen position are specified for the window (1:58-59, 2:14-17, 4:32-42), and

if the size and position are specified, rendering the window at the specified size and position so that the window is not automatically maximized (1:59 – 2:11. See also description of figure 4),

if the size and position are not specified, determining the screen resolution for the display screen,

automatically and inversely changing the size of a display window responsive to changing the screen resolution of current display device or switching between display

devices of different resolution, i.e., changing the display device not the resolution (1:22-28; 3:62-66).

Rodden fails to clearly teach the comparing the screen resolution against a pre-determined threshold value; and automatically maximizing the size of the window on the display screen if the screen resolution is below the pre-determined threshold value. However, in the same field of window layout, Buote et al teach the comparing screen resolution against a pre-determined threshold value and automatically maximizing the size of the window on the display screen if the screen resolution is below the pre-determined threshold value (Buote's 11:15-21). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Buote's teaching to Rodden for automatically maximizing the window at a predetermined resolution threshold. Motivation of the combining is to predefine the window size to avoid the lost of information (i.e., the window become larger than the display screen). The steps/means for determining the screen resolution for the display screen is inherently included in Boute's teaching of resolution threshold. Per Rodden, the user may control the size and position of selected windows so that the windows will not be automatically maximized due to the change in resolution (1:28-31; 4:32-42).

- As for claim 9: It is inherently included in Rodden that the creating step is performed through an application programming interface call, and wherein said determining step is performed by monitoring the application programming interface call (3:25-39).

- As for claim 14: Rodden et al (herein Rodden) teach a computer implemented method and corresponding system for displaying a graphical window on a display screen having a screen resolution, comprising the steps/means for:

determining, for the window, whether a display size and display screen position are specified for the window (1:58-59, 2:14-17, 4:32-42), and

if the size and position are specified, rendering the window at the specified size and position so that the window is not automatically maximized (1:59 – 2:11. See also description of figure 4),

if the size and position are not specified, determining the screen resolution for the display screen,

automatically and inversely changing the size of a display window responsive to changing the screen resolution of current display device or switching between display devices of different resolution, i.e., changing the display device not the resolution (1:22-28; 3:62-66).

- Rodden fails to clearly teach the comparing the screen resolution against a pre-determined threshold value; and automatically maximizing the size of the window on the display screen if the screen resolution is below the pre-determined threshold value. However, in the same field of window layout, Buote et al teach the comparing screen resolution against a pre-determined threshold value and automatically maximizing the size of the window on the display screen if the screen resolution is below the pre-determined threshold value (Buote's 11:15-21). It would have been obvious to one of skill in the art, at the time the invention was made, to combine

Buote's teaching to Rodden for automatically maximizing the window at a predetermined resolution threshold. Motivation of the combining is to predefine the window size to avoid the lost of information (i.e., the window become larger than the display screen). The steps/means for determining the screen resolution for the display screen is inherently included in Boute's teaching of resolution threshold. Per Rodden, the user may control the size and position of selected windows so that the windows will not be automatically maximized due to the change in resolution (1:28-31; 4:32-42). Rodden fails to teach the step determining whether the window is a new window because Rodden disclosure applies equally well regardless the window is newly created. It would have been obvious to apply Rodden's teaching to newly created windows. Motivation of the combining is for controlling the display of the window. The determining of whether a window is newly created is well known in GUI design.

- As for claims 15, 16: Rodden fails to teach the step determining whether the window is a new window because Rodden disclosure applies equally well regardless the window is newly created. It would have been obvious to apply Rodden's teaching to newly created windows. Motivation of the combining is for controlling the display of the window. The determining of whether a window is newly created is well known in GUI design.

Response to Arguments

4.   Applicant's arguments filed 5/8/05 have been fully considered but they are not persuasive.

REMARKS:

In response to the argument that the references does not teach

In response to the argument that Rodden does not teach the step determining the size and position of a window is specified, the limitation is disclosed in 1:58-59, 4:32-47 wherein the user selectively specifies certain windows to be displayed at specified size and position at different resolution. Although Rodden fails to teach the step determining whether the window is a new window because Rodden's disclosure applies equally well regardless the window is newly created. It would have been obvious to apply Rodden's teaching to newly created windows, wherein the determining of whether a window is newly created is well known in GUI design. Per Rodden, specified windows are displayed at the same size and position regardless of screen resolution, and non-specified windows are displayed at different size depending on the resolution (1:58-59, 4:32-37). Thus the determination the screen resolution is inherently included in the displaying of non-specified windows.

In response to the argument that Rodden disclosure directs to reconfiguring of the windows only responsive to changing of screen resolution of a display device, Rodden's invention related to reconfiguring of windows responsive to current screen resolution. The current screen resolution can be obtained by changing resolution of the display device, or NOT changing the resolution but changing a device that has a different resolution. This is similar to loading a GUI or creating a new GUI in a display device that has a different resolution.

In response to the argument that Rodden's calculation of the window size and position is different from the applicant's invention, the claims as recited do not exclude the method of calculation disclosed by Rodden.

5.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The
examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the
organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
may be obtained from either Private PAIR or Public PAIR. Status information for unpublished
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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR
system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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1/1/06